

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>RICHARD CLARK,</b>	:	<b>Case No. C-1-01-846</b>
	:	
Plaintiff,	:	<b>Judge Spiegel</b>
	:	
vs.	:	
	:	
<b>HAMILTON COUNTY, et al.,</b>	:	<b>PLAINTIFF'S UNOPPOSED MOTION FOR ENLARGEMENT OF TIME IN WHICH TO <u>COMPLETE DISCOVERY</u></b>
	:	
Defendants.	:	
	:	

**MOTION**

Comes now the Plaintiff, by and through counsel, and pursuant to Local Rule 7.3 of the Local Rules of the United States District Court for the Southern District of Ohio, respectfully moves this court for a 30 day enlargement of time until December 1, 2003 to complete discovery in this matter. The discovery deadline in this matter was initially set as November 1, 2003 pursuant to the Court's Preliminary Pretrial Order. (Doc 13). This deadline has not been previously extended. Counsel for the defendants have been contacted and have indicated they have no objection to this motion. The grounds for this motion are more fully set forth in the following memorandum in support.

**Memorandum in Support**

Despite the exercise of due diligence, the Plaintiff will be unable to meet the discovery deadline set by the Court's Preliminary Pretrial Order. (Doc. 13). Specifically, the Plaintiff will not be able to complete all required depositions prior to the current deadline of November 1, 2003. Plaintiff has requested to take the deposition of Defendant Kohn and was notified by her counsel that she has moved out of state. While due diligence has been used to contact her, the

parties have not yet been able to schedule her deposition. The 30 day extension requested herein is contingent upon Defendant Kohn being produced for her deposition within that time period.

The requested extension will require a similar extension of the dispositive motion deadline but should not effect the current trial date of April 20, 2004. For good cause shown the Plaintiff respectfully requests that the Court extend the discovery deadline set in this matter.

**Respectfully submitted,**

s/ Alphonse A. Gerhardstein  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was electronically filed on October 29, 2003. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's electronic filing system.

s/ Alphonse A. Gerhardstein